

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Defendant(s).

1. On or before September 10, 2007, each Party will disclose to the opposing side all persons they intend to offer as witnesses in their case in chief at trial. In addition, to the extent such witnesses were not identified in the Party's Initial Disclosures, the Party intending to call such witness will promptly identify such witness as soon as known and, in any event, before September 10, 2007. Except for witnesses offered in rebuttal to evidence offered by another party, the Parties will be barred from introducing testimony of witnesses not disclosed to the other side by September 10, 2007.

1 Dated: May 25, 2007

ATTORNEYS FOR DEFENDANTS
DIOMED HOLDINGS, INC. and DIOMED,
INC.

3 /s/

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9 Dated: May 25, 2007


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11 /s/

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16 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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18 Dated: May 29, 2007

19 
20 MAXINE M. CHESNEY
United States District Judge